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5 Attorneys for Plaintiffs  
6 ARLENE THOMPSON and  
7 DONNA JEREZ

**FILED**

OCT 14 2005

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

8  
9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
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12 ARLENE THOMPSON and )  
13 DONNA JEREZ, )  
14 Plaintiffs, )  
15 v. )  
16 GENENTECH, INC., )  
17 Defendant. )  
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**CASE No. C04-03272 MJJ [ECF]**

Case filed: 08/11/04  
Trial date: 11/28/05

**PLAINTIFFS' APPLICATION TO  
FILE REPLY TO DEFENDANT'S  
RESPONSE TO PLAINTIFFS'  
MOTIONS TO STRIKE MOTION FOR  
PARTIAL SUMMARY JUDGMENT  
FROM THE RECORD; [PROPOSED]  
ORDER**

19 Date: 10/18/05  
20 Time: 9:30 a.m.  
21 Location: Courtroom 11  
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1 Plaintiffs apply to the Court for permission to file a brief and Declarations replying to  
2 Defendant's Response to Plaintiff[s'] Objection[s] and Motion[s] to Strike Motion[s] for Partial  
3 Summary Judgment.

4 This situation, where a summary judgment motion is filed while the moving party is in  
5 violation of an Order compelling discovery, is new to Plaintiff's counsel. We are within fourteen  
6 days of the noticed hearing, and Plaintiffs are uncertain as to what rules apply.

7 Respectfully submitted,

8 Dated: 10/06/05

MAYO & ROGERS

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10 By: /s/ RICHARD M. ROGERS  
11 Attorneys for Plaintiff

12 IT IS SO ORDERED. The Application is GRANTED.

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14 Dated: 10/14/2005 By: C. M. J. Rogers  
15 JUDGE OF THE U.S. DISTRICT COURT  
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